

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

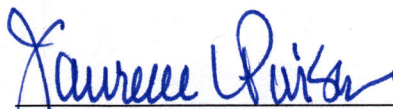
<p>VELDER ORLANDO WILLIAMS</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>SIoux FALLS POLICE DEPARTMENT, et. al.,</p> <p style="text-align: center;">Defendants.</p>	<p style="text-align: center;">4:20-CV-4103-LLP</p> <p style="text-align: center;">ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS ON APPEAL</p>
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On August 9, 2021, judgment was entered in favor of Defendants, and against plaintiff, Velder Orlando Williams, dismissing the complaint without prejudice. (Doc. 16). Mr. Williams filed a notice of appeal and moves for leave to proceed in forma pauperis on appeal. (Docs. 19, 20). “[I]n forma pauperis status does not require a litigant to demonstrate absolute destitution.” *Lee v. McDonald’s Corp.*, 231 F.3d 456, 459 (8th Cir. 2000). But in forma pauperis status is a privilege, not a right. *Williams v. McKenzie*, 834 F.2d 152, 154 (8th Cir. 1987). Federal Rule 24 of Appellate Procedure requires an appellant seeking to proceed in forma pauperis on appeal to so move in the district court and file an affidavit that shows the party’s “inability to pay[,]” “claims an entitlement to redress[,]” and “states the issues that the party intends to appeal.” Fed. R. App. P. 24(a)(1). After review of his financial affidavit, this Court finds that Mr. Williams has insufficient funds to pay the \$505 filing fee.

Accordingly, it is ORDERED that Mr. Williams’s motion for leave to proceed in forma pauperis on appeal (Doc. 20) is GRANTED.

Dated this 16th day of September, 2021.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
MATTHEW W. THELEN, CLERK

